IN THE HİGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 10775 of 1995

Between:

1.Kovi Venkata Subba Naidu, S/o Challa Ramya Naidu,
R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
2.Kovi Venkatadrinaidu, S/o Venkata Subba Naidu,
R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
3.Dachineni Ramasubbamma, W/o late Subbaramaiah,
R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
4.Kovi Vani, D/o Venkatadrinaidu, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
5.Kovi Challaru Naidu, S/o Venkata Subba Naidu, R/o D. Upparapalli

(V) @ Gollapalli, Dakkili (M), Nellore District.
6.Kovi Syamalamma, W/o Challaru Naidu, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
7.Kovi Prasad, S/o Challaru Naidu, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
8.Kovi Koteswara Rao, S/o Challaru Naidu, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
9.Kovi Sanjeevaiah Naidu, S/o Venkata Subba Naidu,
R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
10.Kovi Prabhavathi, W/o Sanjeevaiah Naidu, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
11.Kovi Veeraraghavulu Naidu, S/o Venkata Subba Naidu,
R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
12.Kovi Vijayamma, W/o Veeraraghavulu Naidu,
R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore Dist.
13 Ravuru Pushpamma W/o Padmanabham, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.
14.Paineti Teje Bhavani, D/o Venkatadri Naidu, R/o D. Upparapalli (V) @ Gollapalli, Dakkili (M), Nellore District.

..... PETITIONERS

AND

1.The Mandal Revenue Officer, Dakkili Mandal, Nellore District.
2.The Sub-Collector, Gudur, Nellore District.
3.The District Collector-cum-Election Authority, Nellore, Nellore District.

4.The District Panchayat Officer, Nellore, Nellore District.
5.The Election Officer, Upparapalli (D) Gram Panchayat,

Dakkili Mandal, Nellore District.
6.Chenchu Veeraiah, S/o. Pondaiah, aged about 50 years,

R/o. Upparapalli @ Gollapalli, Dakkili Mandal, Nellore District. (Respondent No.6 is impleaded as per the Court Order, dated 08.07.1996 in W.P.M.P.No.6604 of 1996)

(Respondents 3 to 5 are impleaded as per the Court Order, dated 29-06-1995, in W.P.M.P.No.16010 of 1995).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action of the respondents in deleting the names of the petitioners from the voters list of D. Upparapalli Village, Dakkili Mandal, Nellore District, as illegal, arbitrary and unconstitutional and consequently, direct the respondents to include the names of the petitioners in the voters list and allow them to participate in the ensuing elections of D. Upparapalli (V), Dakkili (M), Nellore Dist.

For the Petitioners: MR.G.DASARADHA RAMI REDDY, ADVOCATE,

For the Respondent Nos.1 to 5: GP FOR PANCHAYAT RAJ & RURAL

DEVELOPMENT

For the Respondent No.6: MR.M.P.CHANDRAMOULI, ADVOCATE.

The Court made the following:

ORAL ORDER:

Heard both sides.

2. The petitioners seek a declaration that the action of the respondents in deleting the names of the petitioners from the Voters List of D.Upparapalli Village, Dakkili Mandal, Nellore District, as illegal, arbitrary and unconstitutional and for a consequential direction to the respondents to include the names of the petitioners in the Voters List and allow them to participate in the elections of

D.Upparapalli Village, Dakkili Mandal, Nellore District.

3. It is the contention of the petitioners that their names were illegally removed from the Voters List just before the elections to the D.Upparapalli Gram Panchayat, Nellore District.

4. Admittedly, the said elections were conducted in the year 1995 and subsequently the elections to the said Gram Panchayat were also conducted in the year 2000. Hence, nothing remains for adjudication in the present writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed as having become infructuous. However, there shall be no order as to costs.

D.S.R.VARMA, J

30TH SEPTEMBER 2004

KRK

To:

1.The Mandal Revenue Officer, Dakkili Mandal, Nellore District.

2.The Sub-Collector, Gudur, Nellore District.

3.The District Collector-cum-Election Authority, Nellore, Nellore District.

4.The District Panchayat Officer, Nellore, Nellore District.

5.The Election Officer, Upparapalli (D) Gram Panchayat, Dakkili Mandal,

Nellore District.
6.Two CCs to the Government Pleader for Panchayat Raj and Rural Development, High Court Buildings, Hyderabad. (OUT)

7.Two CD copies.